

ADDITIONAL FREQUENTLY ASKED QUESTIONS

ABOUT THE BAY DELTA CONSERVATION PLAN (BDCP) ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) AND TEMPORARY ENTRY PERMIT (TEP) PROGRAM

Rev. 11/06/08

WHAT HAPPENS IF I DON'T SIGN THE TEP?

Once you have taken some time to review the TEP, the California Department of Water Resources (DWR) would like the opportunity to answer your questions and discuss your concerns. Ultimately, the decision to sign the TEP is yours. While a legal process exists that would allow DWR access to your property should you not sign the TEP, DWR would rather not pursue that option. DWR is committed to answering your questions and working to resolve your concerns.

WHAT HAPPENS IF YOU FIND ENDANGERED SPECIES ON MY LAND?

In most cases, the presence of protected or endangered species on private property does not require a change for existing private landowner activities, or cause additional responsibilities for the landowner. DWR's field surveys will evaluate potential impacts to species caused by potential BDCP actions. Some Delta landowners expressed concern that crop changes may constitute a land use change and therefore impact operations due to the presence of endangered species. Initial investigations, however, determined that none of the five Delta counties require permits or surveys for conversion of farmland from annual crops to permanent crops. Mitigation measures associated with BDCP would be the responsibility of the agencies proposing and implementing the plan, not any private landowner.

WILL YOU TELL THE FISH & WILDLIFE AGENCIES THAT YOU FOUND PROTECTED OR ENDANGERED SPECIES ON MY LAND?

If survey staff sees an endangered species on your land, that observation would be reported on a database known as the Natural Diversity Database. The location of the species is not recorded in the database by parcel number, but rather by location using global positioning system (GPS) technology. There are different reporting requirements under our state and federal permits. Staff may be required to report a finding within three days or annually depending on the species/circumstances.

CAN YOU GUARANTEE CONFIDENTIALITY AND PROVIDE ANONYMITY WITH ALL THE INFORMATION YOU FIND ON MY PROPERTY?

DWR intends to gather information necessary to evaluate the suitability of your property for project alternatives. At your request, DWR will keep information gathered from your property in confidence when possible. If DWR receives a request to disclose information, DWR will apply any provisions of law under the Public Records Act (PRA) and Information Practices Act (IPA) that allows this information to remain private. For example, PRA exempts disclosure of geological and geophysical data gathered from your property.

WILL THE FINDINGS OF THE STUDIES CONDUCTED ON MY PROPERTY BE MADE AVAILABLE TO ME? WILL THIS INFORMATION BE USED TO JUSTIFY FARM PRACTICE CHANGES/ REGULATIONS BY ENVIRONMENTALISTS?

The survey information gathered will be summarized in a property-specific report once the conservation plan is prepared and alternatives have been selected for initial review of impacts. Upon request, the property-specific report will be provided to the specific landowners from whose property the information was obtained. The information gathered will be summarized in draft reports and summary reports for future reference. DWR does not have a role in using information for farm practice policy changes as proposed by other agencies, private industry or environmental group proposals.

AT THE LAST ROUND OF MEETINGS WE RAISED CONCERNS REGARDING THE ACCESSIBILITY AND TRANSPARENCY OF THE BDCP PROCESS. HOW ARE THOSE CONCERNS BEING ADDRESSED?

The BDCP steering committee meetings are open to the public and the public is encouraged to attend. The meetings are held every other Friday from 9 a.m. - noon (depending upon holiday schedules) and are now held at the California Farm Bureau Federation for easier access and more space. The new meeting location is:

California Farm Bureau Federation
Conference Room
2300 River Plaza Avenue
Sacramento, CA 95833
(916) 561-5500

DELTA INTERESTS ARE COMPLETELY SHUT OUT OF THE BDCP. HOW CAN YOU DECIDE THE FATE OF THE DELTA WITHOUT A SINGLE DELTA REPRESENTATIVE ON THE BDCP?

DWR needs to hear from more Delta voices at every opportunity. We are working right now with local elected officials on how best to engage them in the BDCP process, and also how best to implement public participation in their communities. The BDCP steering committee is composed of state and federal agencies, participating water districts, environmental organizations and other stakeholder organizations. The North Delta Water Agency has recently become a member of the BDCP Steering Committee and discussions with the Central Delta Water Agency, North Delta Cares and the Delta Wetlands Project are ongoing. In addition, Resources Secretary Chrisman is meeting regularly with the five Delta

Counties and Council of Governments (COGs) regarding BDCP and other related Delta programs that impact Delta interests.

We have information available on the Web site, all the meetings are open to the public, and we are planning additional meetings and presentations within communities in the coming months.

WHAT IS THE PROBLEM YOU'RE TRYING TO SOLVE?

The Delta is under tremendous pressure to meet competing needs. The Delta is a community, with people who raise families and earn a living. The Delta also supports people across the state, acting as the water supply hub for two-thirds of Californians. And the Delta is home to hundreds of aquatic and terrestrial species, many of which are unique to the area and several of which are threatened or endangered. The Delta of today is very different from the Delta of the past. To make matters more complicated, the Delta faces sea level rise, threat from earthquakes, continued land subsidence and higher winter flood flows. To address some of these issues, BDCP is being developed to provide for the recovery of endangered and sensitive species and their habitats in the Delta in a way that also will provide for water supply reliability.

I RECEIVED A LETTER SAYING DWR MAY WANT TO COME ON MY PROPERTY TO DO STUDIES. THIS SEEMS LIKE A PRETEXT FOR A DONE DEAL.

There is no "done deal." No decisions have been made. Today, we are in the process of studying various options. The draft environmental review will outline these options, and the public will have the opportunity to provide comments.

MY FAMILY HAS BEEN FARMING THIS PROPERTY FOR SIX GENERATIONS OVER THE PAST 150+ YEARS. ARE YOU GOING TO EVALUATE THE IMPACT TO THE CULTURAL HERITAGE OF MY FAMILY FARMING OPERATION?

Yes. The potential impacts on agricultural, cultural, and economic resources will be evaluated in the EIR/EIS.

To address questions residents may have about the study, DWR has created these additions to the Frequently Asked Questions fact sheet.

If you have additional questions or comments, please e-mail delta@water.ca.gov.